

SIMTEK6935

IN THE UNITED STATES PATENT OFFICE

In re Application of
Masaki Morimatsu

App. No.: 10/711024

Filed: August 18, 2004

Conf. No.: 5023

Title: ELECTRIC GENERATOR FOR
INTERNAL COMBUSTION
ENGINE

Examiner: T. Lam

Art Unit: 2834

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

EXPRESS ABANDONMENT
IN SUPPORT FOR PETITION
TO WITHDRAW FROM ISSUE
UNDER 37CFR 1.313 (C) (3)

Dear Sir:

Pursuant to a phone discussion with Mr. Wilson in the Commissioner's Office this is to resubmit the request for withdrawal of this case from Issue for the purpose of Express Abandonment under 37 CFR 1.138. It was assumed by the undersigned that all that was required to effect this was to file the Express Abandonment that was done on April 6, 2007. However after receiving the Issue Notification , mailed on April 25, 2007, but not yet received in the mail yet, Mr. Wilson advised that a Petition to Withdraw from Issue was also required, although it is believed that another interpretation is possible.

Pursuant to the provisions of 37 CFR 1.138 applicant, by his undersigned attorney, Expressly Abandons this application. Through an error, the Issue and Publication Fees were submitted electronically on April 3, 2007. If possible a refund of these fees is requested, but this petition is not being filed conditioned upon obtaining such a refund. A Credit Card Authorization for the Petition Fee was attached with the earlier request.

Respectfully submitted:



Ernest A. Beutler
Reg. No. 19901

Phone (949) 721-1182
Pacific Time